

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DIAKEL CLARKE,

Plaintiff,

**STIPULATION AND
ORDER OF DISMISSAL**

-against-

18-cv-7300 (ENV) (SJB)

THE CITY OF NEW YORK,
P.C. JAMES O'NEILL,
SGT. GARY CALHOUN,
P.O. DAVID LONGARELLO,

Defendants.
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WHEREAS, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that

1. The above-referenced action is hereby dismissed with prejudice; and

2. Notwithstanding the dismissal of this action in accordance with this agreement, the District Court shall continue to retain jurisdiction over this action for the purpose of enforcing the terms of the settlement agreement reached between the parties and set forth in the Stipulation of Settlement executed by the parties in this matter.

Dated: New York, New York
July 11th, 2019

VIKRANT PAWAR
Attorney for Plaintiff
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By: 

Vikrant Pawar
Attorney for Plaintiff

ZACHARY W. CARTER
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City of New York
*Attorney for Defendants City of New York
and O'Neill*
100 Church Street, 3rd Floor
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By: 

Kaitlin Fitzgibbon
Assistant Corporation Counsel

SO ORDERED:

HON. ERIC N. VITALIANO
UNITED STATES DISTRICT JUDGE

Dated: _____, 2019